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SUBJECT: EU FMS SEND LOTS OF SIGNALS, BUT MAKE FEW DECISIONS, AT SEPT. 13 GAERC

REF: A. USEU BRUSSELS 3840

[1](#)B. USEU BRUSSELS 3822

(U) This cable contains information that is SENSITIVE BUT UNCLASSIFIED and should be protected accordingly. Not for

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Internet distribution.

SUMMARY

[1](#)1. (SBU) The September 13 General Affairs and External Relations Council (GAERC) meeting of EU Foreign Ministers refined EU positions spelled out over previous months and recently discussed at the Sept. 3 Gymnich (ref B). On Sudan, the EU noted some progress, but insisted the GoS has not complied sufficiently with its obligations to the UNSC. The EU continues to hold out the possibility of applying sanctions, but has taken no decision yet. It also supports a UN inquiry into whether genocide has occurred. On Iraq, the EU reaffirmed a series of steps to politically engage with the Interim Iraqi Government (IIG) and agreed to continue examining what kinds of additional assistance it can provide, including by Member States, to the UN Protection Force. On Iran, the EU's attention remains focused on Vienna, not New York. The GAERC reaffirmed the EU's intention to impose further measures against Burma, if there is no improvement there prior to the Asia-EU Meeting (ASEM) in Hanoi on October [1](#)8. And the EU expressed "well-grounded doubts" about the planned Belarusian referendum and stressed that a bad referendum would have negative consequences on Belarus' relations with the EU. The Italians also appear to have renewed their effort to loosen the EU arms embargo on Libya. END SUMMARY.

SUDAN/DARFUR

[1](#)2. (U) Ministers agreed on conclusions formalizing the outcome of discussions at Gymnich. Dutch FM Bot told the press "it is clear GoS has not complied sufficiently" with the UNSC's conditions, although the GAERC Conclusions note some areas of improvement. But they also conclude that "there is no indication the GoS has taken real and verifiable steps to disarm and neutralize these militia and the janjaweed." Bot added that if there were no further progress, the EU is prepared to envision further measures, including sanctions. The Conclusions also note that the EU "would welcome steps by the UNSG to establish as soon as possible an international commission of inquiry in order to immediately investigate all violations of human rights and humanitarian law, and to determine whether acts of genocide have occurred." A Council official explained to us that this addition was meant to put the language more in line with the U.N. process. Asked by the press about the Secretary's comments on genocide, Bot replied "you have to read carefully what he said." (A Council source told us the EUFMs engaged in some detailed textual analysis of the Secretary's Senate testimony during the GAERC. Our source added that the general feeling in the EU was that it was up to the UN to decide if genocide had occurred; it would be governments' job to decide what they were going to do about it.) UK FM Straw in a separate press conference also noted GoS progress on humanitarian access. Asked about genocide, Straw said judgments are being made in NY about GoS cooperation, and the international community clearly looks for better cooperation on law and order, and safety. Straw said he had pushed for the enhancement of GAERC Conclusions to include the request for a UN investigation into genocide.

IRAQ

[1](#)3. (U) The GAERC Conclusions reaffirmed a series of steps for the EU's political engagement with Iraq: EU Troika meetings with the IIG in NY; an invitation to PM Allawi to come to EU Summit on Nov. 5; and an EU civilian crisis management fact-finding mission (to look at police, rule of law and public administration). The EU also underlined that "preparation of elections in close coordination with the UN

is the overriding priority for EU support." Finally, the GAERC "decided that a positive response should be given to the request of the UNSG for EU support to the UN Protection Force in Iraq. The Council is now examining how substantial contribution can be made." A Council source told us that pledges to help fund this were "a bit more concrete than at the Gymnich", and some Member States (she could not remember precisely which ones) had said they would put up some new money.

IRAN

14. (U) The GAERC Conclusions make only brief reference to Iran, reiterating the EU's request for "full compliance by Iran with suspension commitments". FM Bot said the most important thing is that cooperation with IAEA should be intensified. The EU expects Iran to agree with a full suspension of its enrichment activities. Once that is entirely complied with, the EU would be prepared to envisage further cooperation with Iran. Bot also announced the EU would co-sponsor a Canadian resolution on human rights in Iran, because the EU is "convinced the human rights situation has deteriorated." French FM Barnier told the press separately that "we can take it to the UNSC, but we would prefer to have it solved in Vienna."

ASEM/BURMA

15. (U) The GAERC Conclusions made minor changes to the Gymnich text on Burma, to clarify the process of tightening the EU measures against Burma if the Burmese authorities have not fulfilled the EU's conditions by the time of the Hanoi Summit (October 8). The text now commits the EU to taking action at its subsequent GAERC meeting on October 11. FM Bot disputed a reporter's assertion that the list of Burmese companies that would be covered by sanctions has not been discussed. Bot said the EU FMs have clearly discussed the kind of companies that would be covered. But External Relations Commissioner Patten noted that the EU still needed to discuss the precise distinction between private and state enterprises, presumably in order to come up with the list of "named state-owned enterprises" referred to in the Conclusions.

BELARUS, THE BALKANS, AND LIBYA

16. (U) GAERC Conclusions say the Council "has serious and well-grounded doubts as to whether the necessary conditions for holding a free and fair referendum in Belarus are fulfilled." They go on to note that a badly done referendum "cannot remain without its consequences for the relations" with the EU. On Bosnia, EU FMs approved without discussion the Concept of Operations (CONOPS) for Operation ALTHEA, which will follow on NATO's SFOR mission in B-H. Hungarian FM Kovac also raised concerns about the treatment of ethnic Hungarians in the Serbian province of Vojvodina. The GAERC simply asked that EU missions in Belgrade prepare a report on the issue.

17. (U) In an unanticipated move, the last sentence of the GAERC Conclusions notes that "the Italian delegation asked for the question of possible derogation to the arms embargo against Libya, to allow for cooperation in the field of fight illegal immigration (sic), to be taken up rapidly in the Council bodies."

SCHNABEL